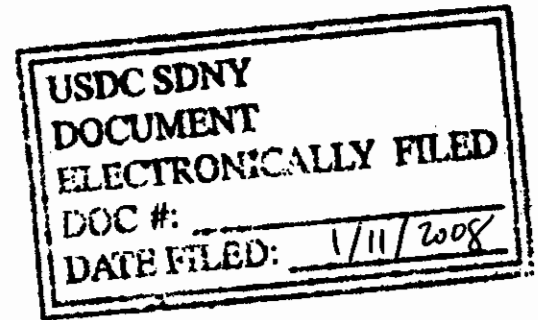


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EAST WIND CARRIERS (UK),

Plaintiff,

07 CV 9903 (DC)

v.

RSK LOGISTICS & TRADING GmbH,

Defendant.
-----X

**ORDER VACATING PROCESS OF MARITIME ATTACHMENT,
DISMISSING THE ACTION AND DIRECTING THE RELEASE OF
FUNDS UNDER ATTACHMENT IN NEW YORK**

WHEREAS, pursuant to Process of Maritime Attachment and Garnishment, the Plaintiff attached funds belonging to the Defendant in the amount of \$594,750.00 at The Bank of New York;

WHEREAS, the Defendant RSK Logistics & Trading GmbH has not appeared in the action, but the parties have now resolved and settled their dispute;

WHEREAS, the Plaintiff and Defendant have presented evidence of the settlement by way of a declaration from the Defendant's Managing Director and the representations of the Plaintiff's counsel;

NOW, THE COURT HAVING REVIEWED THE DECLARATION OF MR. KARL SCWEIKLE AND THE APPLICATION OF THE PLAINTIFF'S COUNSEL,

IT IS HEREBY ORDERED that the ~~that the~~ Process of Maritime Attachment, issued pursuant to this Court's Order dated November 13, 2007 is hereby vacated and all garnishees that have been served with the Process of Maritime Attachment are no longer required to comply with the Process of Maritime Attachment and Garnishment and that any and all property, tangible or intangible, including funds, assets, cash, goods chattels, credits, effects, debts owed by or owed to the defendant RSK Logistics & Trading GmbH, or monies to be paid to discharge a debt owed to defendants, debts paid to defendants under letters of credit, and/or monies to be paid to discharge a debt from defendants, including monies to be electronically transferred by or to the defendants that may have been attached or garnished pursuant to said Process, are to be immediately released;

IT IS HEREBY ORDERED that the garnishee, The Bank of New York, which has restrained, and is holding, a payment in the amount of \$594,750.00, shall release said funds and disburse them as follows:

- The sum of \$450,000.00 shall be wired to the IOLA account of the Plaintiff's counsel, Chalos, O'Connor & Duffy LLP, the details of which are: State Bank of Long Island; 960 Port Washington Blvd., Port Washington, NY 11050; ABA 021401617; Chalos, O'Connor & Duffy IOLA Account: 1517007976; and,
- The balance in the amount of \$144,750.00 shall be wired to the account of the Defendant, RSK Logistics & Trading GmbH, the details of which are: DZ Bank AG, Frankfurt; Swift code GENODESG; Volksbank NAGOLDTAL EG; BIC GENODES1NAG; IBAN DE60 6419 1030 0023 1380 84; for the account of RSK Logistics & Trading GmbH (payment should be made only via DZ Bank/Volksbank).

DC


IT IS HEREBY ORDERED, that plaintiff's counsel is to immediately communicate the contents of this Order to every garnishee served with said Process, upon receipt thereof, and is to serve a copy of this Order on said garnishees by the most expeditious means possible by the end of business, today, January 11, 2008, and the plaintiff's counsel is to immediately send a copy of this Order to the defendant.

PC

IT IS HEREBY ORDERED that this action be and the same is hereby dismissed, with prejudice and without costs.

**Dated: New York, New York
January 11, 2008**

SO ORDERED.


**Hon. Denny Chin,
United States District Judge**